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U.S. Application No.: 10/807,223
Attorney Docket No. 08830.0017-00

PATENT
Customer No. 22,852
Attorney Docket No. 08830.0017-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Takeo ARAI)	Group Art Unit: 2853
)	
Serial No.: 10/807,223)	Examiner: L. Liang
)	
Filed: March 24, 2004)	
)	Confirmation No.: 3313
For: IMAGE RECORDING DEVICE)	
)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO REQUIREMENT FOR ELECTION OF SPECIES

In a Requirement for Election of Species ("Requirement") mailed November 20, 2006, the Examiner requires Applicant to select a single species from the list below for examination on the merits:

- Species I, directed to an image recording device, wherein a second image forming process is a process for a background; and
- Species II, directed to an image recording device, wherein a first impage forming process is a process for a background.

Requirement, page 2. The Examiner maintains that these species are mutually exclusive, insofar as the background process of species I and the background process of species II could not be performed at the same time.

Applicant respectfully disagrees with and traverses this Requirement, at least because the Examiner has not established that examining both of the indicated species would constitute an undue burden. However, to be fully responsive, Applicant elects species I, directed to an image recording device, wherein a second image forming process is a process for a background, for examination on the merits, *with traverse*.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: December 12, 2006

By: /David W. Hill/
David W. Hill
Reg. No. 28,220